29 May 1968

MEMORANDUM FOR THE RECORD

SUBJECT: S. 1035

1. Discussed the attached draft DOD report on S. 1035 with Robert Andrews who forwarded it to Mr. Houston. I indicated to him I thought this was certainly a step in the right direction. On the other hand, I indicated to him that their report in effect was requesting that so-called "critical-sensitive positions" receive the same exemption in Section 6 that is now applicable to CIA, NSA, and FBI. I advised that the Agency was still concerned and would attempt to secure an exemption for the Agency from the entire bill if it is to be reported out. Undoubtedly, FBI and NSA would be taking the same position and thus there would be no exemption left in Section 6 for DOD to tie their "critical-sensitive positions" to. Further, it would appear that the case could be made for some of the positions in DIA just as NSA heretofore has made a case for all of its employees. I urged Andrews to bring this matter to Frank Bartimo's attention. Andrews appeared to understand the situation but also indicated he was confronted with the many conflicting forces in the Pentagon. I also mentioned that it should be addressed, of course, to the House Post Office and Civil Service Committee rather than Senator Ervin.

2. I discussed all of the above with [ ] NSA, who had just received a copy of this report but had not yet had a chance to study it. He was appreciative of being brought up to date.

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s/ John S. Warner

JOHN S. WARNER
Deputy General Counsel

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Remarks:

You may wish to consider checking with the other agencies including State on their report and at an appropriate time review the bidding with BOB.

John S. Warner

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Deputy General Counsel 7D01		29 May 68

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